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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey W. Leon, et al

BIOLOGICAL MICROARRAY
COMPRISING POLYMER
PARTICLES AND METHOD OF USE

Serial No. 10/658,438

Filed 09 September 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1641

Examiner: Unsu Jung

I hereby certify that this correspondence was sent
by facsimile transmission to the United States
Patent and Trademark Office on the date set forth
below.

Christine Tolhurst
Christine Tolhurst

January 24, 2006
Date

LETTER TO THE PATENT OFFICE

Enclosed please find two corrected Terminal Disclaimers. Please
substitute these for the Terminal Disclaimers previously faxed to you on 1/20/06.

These Terminal Disclaimers are being substituted to correct the
form used for prior art patent numbers, which should have been the form for serial
numbers for a pending second application including the correct serial numbers.

Respectfully submitted,

J. Lanny Tucker
Attorney for Applicant(s)
Registration No. 27,678

J. Lanny Tucker/ct
Rochester, NY 14650
Telephone: 585-477-7418
Facsimile: 585-477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the
Examiner is requested to communicate with Eastman Kodak Company Patent Operations at
(585) 477-4656.

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**CORRECTED TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/658,009. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any patent granted on the second application: expires for failure to pay

a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

Date <u>Jan. 24, 2006</u> Telephone: 585-477-7418 Facsimile: 585-477-1148 /cl	J. Lanny Tucker JLanny Tucker Attorney of Record Registration No. 27,678
----------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------

☒ Please charge the fee to Eastman Kodak Company Deposit
Account 05-0225. (A duplicate copy of this request is enclosed)

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J. Lanny Tucker
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Registration No. 27,678

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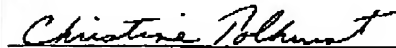
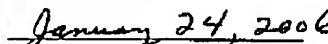
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